

Appln. No.: 10/075,150
Amendment dated December 15, 2004
Reply to Advisory Action dated November 18, 2004

REMARKS/ARGUMENTS

The advisory action dated November 18, 2004, has been carefully reviewed, and these remarks are responsive thereto. Reconsideration and allowance of this application are respectfully requested.

Claims 1-51 remain in this application. Independent claims 1, 14, 24, 30, and 38 are currently amended.

Rejections Under 35 U.S.C. § 102

Claims 1-7, 14, 20, 24, 25, 30-32, 34, 38, 39, 43, 44, and 48 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,923,655 to Veschi et al.

Veschi does not properly support a prima facie case of anticipation of claim 1 because Veschi does not disclose "allowing a digital-video-broadcast receiver to enter a reduced power-consumption state for a duration, which is based at least in part on the time-slice information, between receiving the current burst of packets and receiving the subsequent burst of packets."

Claim 1 is directed to a time-slicing digital video broadcasting transmitter system comprising: a buffer that receives at least one of digital video content and digital audio content from an information service provider; an encapsulator that receives the buffered content from the buffer and that forms at least one packet header for a current packet of a current burst of packets, wherein the current packet contains a first portion of the buffered content, wherein the at least one packet header contains time-slice information that includes a time-slice parameter specifying a relationship between the current packet of the current burst of packets and a subsequent burst of packets that contains a second portion of the buffered content; and a digital video broadcast transmitter that transmits the current burst of packets and the subsequent burst of packets, thereby allowing a digital-video-broadcast receiver to enter a reduced power-consumption state for a duration, which is based at least in part on the time-slice information, between receiving the current burst of packets and receiving the subsequent burst of packets.

Veschi discloses a system for communicating audio/video data in a packet-based computer network in which transmission of data packets through the network requires variable periods of transmission time. The system comprises: (1) a packet-assembly circuit for

Appln. No.: 10/075,150
Amendment dated December 15, 2004
Reply to Advisory Action dated November 18, 2004

constructing a data packet from a portion of a stream of digital audio/video data corresponding to an audio/video signal and (2) a packet-disassembly circuit, having an associated buffer, for receiving the data packet. The packet-assembly circuit generates a position identifier indicating a temporal position of the portion of the stream relative to an immediately preceding portion of the stream, inserts the position identifier into the data packet, and queues the data packet for transmission through a backbone of the computer network. The packet-disassembly circuit inserts the portion of the data stream into an absolute location of the buffer based on the position identifier so that the portion of the data stream is synchronized with the immediately preceding portion of the data stream in the buffer to compensate for the variable periods of transmission time. (Veschi, Abstract, col. 13, line 33, through col. 16, line 31). As such, Veschi does not disclose "allowing a digital-video-broadcast receiver to enter a reduced power-consumption state for a duration, which is based at least in part on the time-slice information, between receiving the current burst of packets and receiving the subsequent burst of packets."

For at least the foregoing reasons, applicant respectfully submits that Veschi fails to establish prima facie anticipation of claim 1, which is, therefore, in condition for allowance.

Claims 14, 24, 30, and 38 contain limitations that are analogous to the limitations discussed above in connection with claim 1. Therefore, for reasons similar to those discussed above with respect to claim 1, applicant respectfully submits that claims 12, 24, 30, and 38 are allowable.

Claims 2, 4, 20, 25, 31, 32, 39, 44 and 48 properly depend upon one of the independent claims discussed above. These dependent claims are, therefore, in condition for allowance for at least the reasons set forth above in connection with the independent claims upon which these dependent claims depend.

Claim Rejections – 35 USC § 103

Dependent claims 8-13, 15-19, 21-23, 26-29, 33, 35-37, 40-42, 45-47, and 49-51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Veschi. These dependent claims properly depend upon one of the independent claims discussed above. These dependent claims are, therefore, in condition for allowance for at least the reasons set forth above in connection with the independent claims upon which these dependent claims depend.

Appln. No.: 10/075,150
Amendment dated December 15, 2004
Reply to Advisory Action dated November 18, 2004

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that this application is in condition for allowance, and respectfully requests reconsideration of the application and prompt issuance of a Notice of Allowance.


Appin No.: 10/075,150
Amendment dated December 15, 2004
Reply to Advisory Action dated November 18, 2004

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: December 15, 2004

By:


William J. Klein
Registration No. 43,719

Banner & Witcoff, Ltd.
10 S. Wacker Drive
Chicago, IL 60606
Tel: (312) 463-5000
Fax: (312) 463-5001

W.J. Klein
Reg. No.
43,719